

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

PATRICIA KAMMEYER, et al.	:	Case No. C-1-01-649
Plaintiffs	:	Spiegel, J.
vs.	:	Black, M.J.
CITY OF SHARONVILLE, et al.	:	PLAINTIFFS' MOTION TO FILE
Defendants	:	UNDER SEAL THEIR
	:	MEMORANDUM IN
	:	OPPOSITION TO THE MOTION
	:	TO QUASH FILED BY NON-
	:	PARTIES MIKE ALLEN, JOHN
	:	JAY AND TERRY GAINES
	:	

Plaintiffs respectfully request that their memorandum in opposition to the motion to quash filed by non-parties Mike Allen, John Jay, and Terry Gaines be accepted by the court for filing under seal. A hard copy of plaintiff's memorandum has been delivered the court contemporaneous to the electronic filing of this motion. Plaintiffs request their memorandum be accepted for filing under seal upon the granting of this motion.

MEMORANDUM

This case deals with an open murder investigation. *See* Orders holding the investigation confidential, Doc. 40, 64, 79. The memorandum in opposition being filed by the plaintiffs references sealed, confidential material related to the open investigation. The use of the sealed material should be done in a manner consistent with those orders. Sealing plaintiffs' memorandum is therefore appropriate.

Respectfully submitted,

s/ Alphonse A. Gerhardstein
Alphonse A. Gerhardstein # 0032053
Trial Attorney for Plaintiffs

Paul Laufman #0066667
Attorney for the Plaintiff
617 Vine Street, Suite 1409
Cincinnati, Ohio 45202
(513) 621-9100
(513) 345-5543 fax
agerhardstein@laufgerhard.com
plaufman@laufgerhard.com

Certificate of Service

I here by certify that on October 18, 2004, a copy of the foregoing pleading was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/ Alphonse A. Gerhardstein
Alphonse A. Gerhardstein